

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY SEVENTH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE V.V.S.RAO

WRIT PETITION NO : 1387 of 2003

Between:

Iqbal Ahmed S/o.Naseer Ahmed
H.No.8-1-253/B/39/A, Virat Nagar, Shaikpet(M), Hyderabad

..... PETITIONER

AND

- 1 The Mandal Revenue Officer, Shaikpet Mandal, Shakipet,
Hyderabad District.
- 2 The District Collector, Hyderabad District, Hyderabad
- 3 The Chief Commissioner of Land Administration, Government of A.P.,
Nampally Station Road, Hyderabad
- 4 The Prl. Secretary to Government Revenue (UC-I) Department,
Government of A.P., Secretariat, Hyderabad
- 5 The Special Officer and Competent Authority, Urban Land Ceiling,
Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ of order or direction more in the nature of writ of mandamus declaring the respondent No.1 Notice No.D/4080/ 2002, Dt.29/10/2002 fixing the market value at Rs.1000/- per sq.yard aggregating to Rs.1,26,000/- and consequential notice issued under Sec.6 of the A.P.Land Encroachment Act 1905 in his notice No.D/4080/2002, Dt.01/01/2003 as illegal, arbitrary, unjust, and unconstitutional and contrary to the G.O.Ms.No.455, Revenue (UC-I) Dept., Dt.29/07/2002 while issuing a consequential direction to the respondents to fix the market value of the subject land at Rs.400/- per sq.meter in view of G.O.Ms.No.455, Revenue (UC-I) Department, Dt.29/07/2002 in the interest of justice.

Counsel for the Petitioner: MR.D.GOVERDHANACHARY

Counsel for the Respondents: GP FOR REVENUE

The Court made the following :

ORDER:

This Writ Petition is filed to declare the Notice bearing No.D/4080/2002 dt.29.10.2002 issued by second respondent fixing the market value at Rs.1000/- per Sq.yard aggregating to Rs.1,26,000/- and consequential notice bearing No.D/4080/2002, dt.1.1.2003 issued under Section 6 of the A.P.Land Encroachment Act, 1905, are illegal, arbitrary, unjust and unconstitutional and contrary to G.O.Ms.No.455, dt.29.7.2002. Petitioner also seeks a consequential direction to respondents to fix the market value of the subject land at Rs.400/- (Rupees four hundred only) per Sq.meter in view of G.O.Ms.No.455, dt.29.7.2002.

A batch of Writ Petitions, being W.P.Nos.914 of 2003 and batch, where a similar question was raised, was disposed of by this Court on 26.7.2004 in the following manner.

Therefore, without expression any opinion as to valuation of the land in occupation of the petitioners, these Writ Petitions are disposed of directing the fourth respondent, Government of Andhra Pradesh in Revenue (Urban Land Ceiling-I), Department, or any other Department dealing with the subject to consider the request o the petitioners for fixation of value at Rs.400/- (Rupees four hundred only) per Sq.meter within a period of eight weeks from the date of receipt of a copy of this order. As a condition precedent for this, all the petitioners shall deposit the value of the land in their occupation calculated at Rs.400/- (Rupees four hundred only) per Sq.meter within a period of three weeks from today. It shall also be open to petitioners to file their representation before the fourth respondent enclosing a copy of the challan under which the amount is paid.

Following the same, present Writ Petition is also disposed of in terms of the Order in Writ Petition No.914 of 2003 and batch, dt.26.7.2004. There shall be no order as to costs.

(V.V.S.RAO, J)

27.7.2004

bnr

Note:Office to dispatch CC by 29.7.2004.

(B.O)

bnr

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1. The Mandal Revenue Officer, Shaikpet Mandal, Shakipet, Hyderabad District.
- 2 The District Collector, Hyderabad District, Hyderabad
- 3 The Chief Commissioner of Land Administration, Government of A.P.,
Nampally Station Road, Hyderabad
- 4 The Prl.Secretary to Government, Revenue (UC-I) Department,
Government of A.P., Secretariat, Hyderabad
- 5 The Special Officer and Competent Authority Urban Land Ceiling, Hyderabad.

6.2CCs to G.P. for Revenue, High Court Buildings, Hyderabad (OUT)

7.2CD copies

Form-NIC-OGS/WP{ }

